

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1265 be amended to read as follows:

- 1           Page 2, delete lines 4 through 30, begin a new paragraph and insert:
- 2           **"(b) The term includes a seam of coal to which one (1) or more**
- 3           **of the following apply:**
- 4               **(1) The seam is:**
- 5                   **(A) associated with an underground mine permitted under**
- 6                   **IC 14-34; and**
- 7                   **(B) specifically intended to be mined under the permit.**
- 8               **(2) The seam is associated with an inactive underground**
- 9               **mining operation at which mining operations:**
- 10                   **(A) have temporarily ceased; and**
- 11                   **(B) are anticipated to be resumed by the person with the**
- 12                   **right to develop the seam.**
- 13               **(3) The seam is identified as a commercially minable coal**
- 14               **resource by the owner or lessee of the seam by a map**
- 15               **accompanied by an affidavit that:**
- 16                   **(A) is filed with the division oil and gas; and**
- 17                   **(B) states that the coal in the seam is being held for later**
- 18               **commercial production.**

- 1           **(4) The seam is:**  
2           ~~(1)~~ **(A)** at least thirty-six (36) inches thick; and  
3           ~~(2)~~ **(B)** located not more than eight hundred (800) feet below  
4           the surface."

(Reference is to EHB 1265 as printed February 23, 2010.)

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Senator STEELE